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PART 1

CHAPTER III

STATUTORY REQUIREMENTS FOR
CONTRACTING POSITIONS AND WARRANT AUTHORITY

1. Introduction

a. Effective 1 October 1993, persons assigned to contracting positions and persons requiring warrant authority above the small purchase threshold must meet special statutory requirements. This chapter addresses those requirements and establishes policies and procedures for granting GS-1102, contracting officer warrant, and Senior Contracting Official (SCO) waivers.

b. Additional statutory requirements, i.e., APC membership and tenure requirements, also apply to the positions covered in this chapter if they are CAPs. Additional statutory requirements also apply to flag, general officer, and SES who occupy or are selected for acquisition positions. Refer to part 1, chapters IV and V for these additional statutory requirements.

c. Refer to part 1, chapter II for regulatory career field certification requirements.

2. Applicability. The statutory requirements addressed in this chapter fall into three categories: GS-1102 education requirements, contracting officer warrant requirements, and SCO requirements. For civilian recruitment purposes, requirements which differ from OPM qualification standards shall be used as quality ranking factors.

a. Requirements for GS-1102 positions. The statutory education requirements apply to all GS-1102 positions, regardless of grade.

b. Requirements for contracting officer warrant authority. These requirements are applicable to all persons authorized to award or administer contracts above the small purchase threshold.

c. Requirements for SCOs. These requirements apply to the positions listed in appendix B.

Enclosure (1)

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3. Statutory Requirements

a. GS-1102 Statutory Education Requirements. A person may not be employed in the GS-1102 occupational series unless the person meets one of the following statutory education requirements:

(1) Completed a baccalaureate degree from an accredited educational institution authorized to grant baccalaureate degrees; or

(2) Completed at least 24 semester credit hours (or academic equivalent) of study from an accredited institution of higher education in any of the following disciplines: accounting, business finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, and organization and management (Note: courses for which the American Council on Education (ACE) has recommended college credit may not be counted toward the 24-credit hour requirement unless they have been officially accepted by an accredited university or institution of higher education and academic credit has been granted); or

(3) Successfully completed acceptable equivalency examinations (Defense Activity for Non-Traditional Education Support (DANTES) or examinations that are accepted by accredited institutions of higher education for academic credit in the business disciplines listed in paragraph 3a(2)); or

(4) As of 1 October 1991, had at least 10 years of experience in acquisition positions or in similar positions in which the person obtained experience directly relevant to the field of contracting.

b. Contracting Officer Warrant Requirements. In order to qualify to serve in an acquisition position as a contracting officer with authority to award or administer contracts for amounts above the small purchase threshold, a person must meet the following requirements:

R) (1) Certification or completion of all mandatory contracting courses prescribed by DOD for the contracting career field at the grade level in which the person is serving; and

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c. The DON Contracting Career Management Board (NCCMB) is authorized to grant GS-1102 waivers for commands which do not have SCOs. GS-1102 waiver requests shall be addressed to the Chair, NCCMB, via the DACM, Office of the ASN(RD&A), 2211 South Clark Place, Arlington, VA 22244-5104.

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d. SCOs are authorized to grant waivers for warrants issued under their authority.

e. The DACM retains authority to grant SCO waivers after consultation with the NCCMB. The DACM retains authority to grant GS-1102 and warrant waivers for SCOs.

f. The authorities listed in paragraph 7b through f may not be redelegated.

8. GS-1102 and Contracting Officer Warrant Waiver Procedure

a. Waiver of any of the statutory requirements for warranted contracting officers and contracting personnel in the GS-1102 series shall be requested by officials authorized in paragraph 7, be in writing, and contain a statement justifying significant potential for advancement. Appendix C provides the format for requesting a GS-1102 or contracting officer warrant waiver.

b. The SCO or NCCMB, as appropriate, shall approve or disapprove the GS-1102 or warrant waiver.

c. The SCO or NCCMB, as appropriate, shall return completed GS-1102 and warrant waivers to the requesting official and forward two copies of approved waivers to the DACM. The DACM shall forward one of these copies to DOD.

d. Approved requests for GS-1102 and warrant waiver shall be processed by the requesting official as follows:

(1) Waivers for civilians shall be forwarded to the servicing HRO for DCPDS entry and retention in a permanent personnel record;

(2) Waivers for Navy military shall be forwarded to BUPERS (PERS-447) for retention in a permanent personnel record; and

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(3) Waivers for Marine Corps military shall be forwarded to the CMC, Code MMOA-3, for AWSOM entry and retention.

e. Disapproved requests for GS-1102 and warrant waiver shall include the rationale for disapproval. In this situation, the person for whom the waiver was requested may not be assigned to the position or be granted the warrant.

f. If a SCO requires a GS-1102 or warrant waiver, the request shall be forwarded to the DACM for approval using the format shown in appendix C.

9. SCO Waiver Procedure

a. Waiver of the statutory SCO requirement shall be requested in writing by an official listed in paragraph 7 and must use the format in appendix D.

b. Upon receipt, requests shall be forwarded by the DACM to the Chair, NCCMB. A written approval or disapproval recommendation shall be returned to the DACM.

c. The DACM shall approve or disapprove the request. Approved requests shall be returned to the requesting official for processing as described in paragraph 8d. Disapproved requests shall be returned to the requesting official with a rationale for the disapproval.

d. If the person is not an APC member, a separate CAP assignment waiver is not required. The format in appendix D combines both the SCO waiver and the CAP assignment waiver.